

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

EMERSON ROYSE,	)	CAUSE NO. 1:17-cv-00514
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
WAL-MART STORES EAST, LP,	)	
	)	
Defendant.	)	

**NOTICE OF REMOVAL**

Thomas L. Davis, counsel for defendant, states:

1. On November 20, 2017, plaintiff filed his Complaint for Damages and Request for Jury Trial against defendant in the Grant County Superior Court of Indiana, under Cause No. 27D01-1711-CT-000076.
2. Wal-Mart Stores East, LP, is a Delaware limited partnership, of which WSE Management, LLC is the general partner, and WSE Investment, LLC is the limited partner. The sole member of both WSE Management, LLC and WSE Investment, LLC is Wal-Mart Stores East, LLC, an Arkansas limited liability company whose sole member is Wal-Mart Stores, Inc. The principal place of business for all entities mentioned is Bentonville, Arkansas. Wal-Mart Stores, Inc., a Delaware corporation, is a publicly traded company on the New York Stock Exchange and traded under the symbol WMT. The principal place of business for Wal-Mart Stores, Inc. is Bentonville, Arkansas. No publicly traded entity owns more than 10% of the company. Thus, for purposes of diversity jurisdiction, Wal-Mart Stores East, LP is a citizen of Delaware and Arkansas.
3. Plaintiff is a citizen of the state of Indiana.

4. The matter in controversy exceeds \$75,000.00, exclusive of interests and costs; this action does not arise under the Workmen's Compensation laws of any state; is not brought against a common carrier or its receivers or trustees; does not arise under 45 U.S.C. §§ 51-60; and, therefore, this cause is removable to this Court under 28 U.S.C. § 1441(b).

5. This Notice of Removal is being filed with this Court within 30 days after the receipt of the Complaint and Summons by the defendant.

6. Copies of all process, pleadings, and orders served upon petitioner in the state court action are attached hereto. Promptly hereafter, written notice will be given to all adverse parties and to the Clerk of the Grant County Superior Court of Indiana, that this Petition for Removal is being filed with this Court.

WHEREFORE, defendant prays that the entire state court action, under Cause No. 27D01-1711-CT-000076, now pending in the Grant Superior Court of Indiana, be removed to this Court for all further proceedings.

FROST BROWN TODD LLC

By: /s/Thomas L. Davis  
Thomas L. Davis, #4423-49  
Attorneys for Defendant Wal-Mart Stores  
East, LP

**CERTIFICATE OF SERVICE**

Service of the foregoing was made by placing a copy of the same into the United States

Mail, first class postage prepaid, this 22nd day of December, 2017, addressed to:

Darron S. Stewart  
David W. Stewart  
Stephen W. Thompson  
STEWART & STEWART  
931 South Rangeline Road  
Carmel, IN 46032

*/s/Thomas L. Davis*

---

Thomas L. Davis

FROST BROWN TODD LLC  
201 North Illinois Street, Suite 1900  
P. O. Box 44961  
Indianapolis, IN 46244-0961  
317-237-3800  
Fax: 317-237-3900  
tdavis@fbtlaw.com

LR08000.0654887 4852-0018-3641v1